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सं. 2] नई दिल्ली, जनवरी 8—जनवरी 14, 2023, शनिवार/ पौष 18—पौष 24, 1944
No. 2] NEW DELHI, JANUARY 8— JANUARY 14, 2023, SATURDAY/ PAUSHA 18— PAUSHA 24, 1944

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 10 जनवरी, 2023

का.आ. 20.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 20 की उप-धारा (1) के साथ पठित धारा 19 के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री चल्ला श्रीनिवासुलू सेट्टी (जन्म तिथि: 26.9.1965), प्रबंध निदेशक, भारतीय स्टेट बैंक के कार्यकाल को दिनांक 20.1.2023 से दो वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, बढ़ाती है।

[ईफा. सं. 2/1/2021-बीओ-I]

संजय कुमार मिश्र, अवर सचिव

MINISTRY OF FINANCE
(Department of Financial Services)

New Delhi, the 10th January, 2023

S.O. 20.—In exercise of the powers conferred by clause (b) of section 19 read with sub-section (1) of section 20 of the State Bank of India Act, 1955 (23 of 1955), the Central Government, hereby extends the term of office of Shri Challa Sreenivasulu Setty (date of birth: 26.9.1965), Managing Director, State Bank of India for a period of two years with effect from 20.1.2023, or until further orders, whichever is earlier.

[eF. No. 2/1/2021-BO.I]

SANJAY KUMAR MISHRA, Under Secy.

नई दिल्ली, 10 जनवरी, 2023

का.आ. 21.—भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उपधारा (4) के साथ पठित धारा 8 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री माइकल देबब्रत पात्रा (जन्म तिथि 29.9.1960) को दिनांक 15.1.2023 से एक वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, भारतीय रिजर्व बैंक के उप-गवर्नर के पद पर पुनः नियुक्त करती है।

[ईफा. सं. 1/1/2022-बीओ-I]

संजय कुमार मिश्र, अवर सचिव

New Delhi, the 10th January, 2023

S.O. 21.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 8 of The Reserve Bank of India Act, 1934, read with sub-section (4) of section 8 thereof, the Central Government hereby re-appoints Shri Michael Debabrata Patra (Date of Birth: 29.9.1960) as Deputy Governor, Reserve Bank of India for a further period of one year with effect from 15.1.2023, or until further orders, whichever is earlier.

[eF. No. 1/1/2022-BO.I]

SANJAY KUMAR MISHRA, Under Secy.

शुद्धिपत्र

नई दिल्ली, 11 जनवरी, 2023

का.आ. 22.—इण्डियन ओवरसीज बैंक में कार्यपालक निदेशक की नियुक्ति संबंधी वित्तीय सेवाएं विभाग, वित्त मंत्रालय, भारत सरकार की दिनांक 21.11.2022 की अधिसूचना संख्या 4/6/2021-बीओ-I में "Shri Sanjay Vinayak Mudaliyar" के नाम को "Shri Sanjay Vinayak Mudaliar" पढ़ा जाए।

[ईफा. सं. 4/6/2021-बीओ-I]

संजय कुमार मिश्र, अवर सचिव

CORRIGENDUM

New Delhi, the 11th January, 2023

S.O. 22.—In the notification number 4/6/2021-BO.I, dated 21.11.2022, of the Government of India, Ministry of Finance, Department of Financial Services, appointing Executive Director in Indian Overseas Bank, the name "Shri Sanjay Vinayak Mudaliyar" may be read as "Shri Sanjay Vinayak Mudaliar".

[eF. No. 4/6/2021-BO.I]

SANJAY KUMAR MISHRA, Under Secy.

नई दिल्ली, 6 जनवरी, 2023

का.आ. 23.—वर्ष 2000 में यथा संशोधित भारतीय लघु उद्योग विकास बैंक अधिनियम, 1989 की धारा 6 की उप-धारा (1) के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री ललित कुमार चंदेल के स्थान पर श्री भूषण कुमार सिन्हा, संयुक्त सचिव, वित्तीय सेवाएं विभाग को तत्काल प्रभाव से और अगले आदेशों तक संशोधित भारतीय लघु उद्योग विकास बैंक के बोर्ड में निदेशक के पद पर नामित करती है।

[फा. सं. एफटी-1/12/2022-आईएफ-II]

नेहा चौहान, उप निदेशक

New Delhi, the 6th January, 2023

S.O. 23.—In exercise of the powers conferred by clause (c) of sub-section (1) of section (6) of the Small Industries Development Bank of India Act, 1989 as amended in the year 2000, the Central Government hereby nominates Shri Bhushan Kumar Sinha, Joint Secretary, Department of Financial Services as a Director on the Board of Small Industries Development Bank of India with immediate effect and until further orders, *vice* Sh. Lalit Kumar Chandel.

[F. No. FT-1/12/2022-IF-II]

NEHA CHAUHAN, Dy. Director

नई दिल्ली, 6 जनवरी, 2023

का.आ. 24.—राष्ट्रीय आवास बैंक अधिनियम, 1987 (1987 का 53) की धारा 6 की उप-धारा (1) के खंड (च) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री ललित कुमार चंदेल के स्थान पर श्री समीर शुक्ला, संयुक्त सचिव, वित्तीय सेवाएं विभाग को तत्काल प्रभाव से और अगले आदेशों तक राष्ट्रीय आवास बैंक के बोर्ड में निदेशक के पद पर नामित करती है।

[फा. सं. एफटी-1/12/2022-आईएफ-II]

नेहा चौहान, उप निदेशक

New Delhi, the 6th January, 2023

S.O. 24.—In exercise of the powers conferred by clause (e) of sub-section (1) of section (6) of the National Housing Bank Act, 1987 (53 of 1987), the Central Government hereby nominates Shri Sameer Shukla, Joint Secretary, Department of Financial Services as a Director on the Board of National Housing Bank with immediate effect and until further orders, *vice* Shri Lalit Kumar Chandel.

[F. No. FT-1/12/2022-IF-II]

NEHA CHAUHAN, Dy. Director

कृषि एवं किसान कल्याण मंत्रालय

(कृषि अनुसंधान एवं शिक्षा विभाग)

नई दिल्ली, 9 जनवरी, 2023

का.आ. 25.—केन्द्रीय सरकार, कृषि एवं किसान कल्याण मंत्रालय, कृषि अनुसंधान एवं शिक्षा विभाग, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में भा.कृ.अ.प.-भारतीय कृषि अनुसंधान परिषद का पूर्वी अनुसंधान परिसर, पोस्ट-बी.वी. कॉलेज, पटना-800014 (बिहार) को, जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

[फा. सं. 13-05/2020-हिन्दी]

बलराज, अवर सचिव

MINISTRY OF AGRICULTURE AND FARMER WELFARE**(Department Of Agricultural Research And Education)**

New Delhi, the 9th January, 2023

S.O. 25.—In pursuance of sub-Rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules 1976, the Central Government, Ministry of Agriculture & Farmer Welfare, Department of Agricultural Research & Education hereby notifies the I.C.A.R – Indian Council of Agricultural Research Complex For Eastern Region, Post- B.V. College, Patna-800014 (Bihar), where more than 80% of staff have acquired the working knowledge of Hindi.

[F. No. 13-05/2020-Hindi]

BALRAJ, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 12 जनवरी, 2023

का.आ. 26.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा सुश्री कामिनी चौहान रतन, अपर सचिव और वित्तीय सलाहकार, पेट्रोलियम और प्राकृतिक गैस मंत्रालय, को दिनांक 06.01.2023 से 05.01.2025 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त. I/ओएनजी-I]

आर. के. कुरील, निदेशक

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 12th January, 2023

S.O. 26.—In exercise of the Powers conferred by Sub-Section (3)(b) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Ms Kamini Chauhan Ratan, AS & FA, Ministry of Petroleum and Natural Gas as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 05.01.2025 or until further orders, whichever is earlier.

[F. No. G-38011/41/2016-Fin.I/ONG-I]

R. K. KUREEL, Director

नई दिल्ली, 12 जनवरी, 2023

का.आ. 27.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा श्री श्रीकांत माधव वैद्य, अध्यक्ष, आईओसीएल, को दिनांक 06.01.2023 से 31.08.2023 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त. I/ओएनजी-I]

आर. के. कुरील, निदेशक

New Delhi, the 12th January, 2023

S.O. 27.—In exercise of the Powers conferred by Sub-Section (3)(c) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Shrikant Madhav Vaidya,

Chairman, IOCL, as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 31.08.2023 or until further orders, whichever is earlier.

[F. No. G-38011/41/2016-Fin.-I/ONG-I]

R. K. KUREEL, Director

नई दिल्ली, 12 जनवरी, 2023

का.आ. 28.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा श्री संदीप कुमार गुप्ता, अध्यक्ष और प्रबंध निदेशक, गेल, को दिनांक 06.01.2023 से 05.01.2025 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त./ओएनजी-1]

आर. के. कुरील, निदेशक

New Delhi, the 12th January, 2023

S.O. 28.—In exercise of the Powers conferred by Sub-Section (3)(c) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Sandeep Kumar Gupta, CMD, GAIL, as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 05.01.2025 or until further orders, whichever is earlier.

[F. No. G-38011/41/2016-Fin.I/ONG-I]

R. K. KUREEL, Director

नई दिल्ली, 12 जनवरी, 2023

का.आ. 29.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा श्री सुनील कुमार, संयुक्त सचिव, (अन्वेषण और जैव-रिफाइनरी) पेट्रोलियम और प्राकृतिक गैस मंत्रालय, को दिनांक 06.01.2023 से 05.01.2025 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त./ओएनजी-1]

आर. के. कुरील, निदेशक

New Delhi, the 12th January, 2023

S.O. 29.—In exercise of the Powers conferred by Sub-Section (3)(a) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Sunil Kumar, Joint Secretary (Exploration and Bio- Refinery), Ministry of Petroleum and Natural Gas as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 05.01.2025 or until further orders, whichever is earlier.

[F. No. G-38011/41/2016-Fin.I/ONG-I]

R. K. KUREEL, Director

नई दिल्ली, 12 जनवरी, 2023

का.आ. 30.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा श्री अरुण कुमार सिंह, अध्यक्ष, ओएनजीसी, को दिनांक 06.01.2023 से 05.01.2025 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त./ओएनजी-1]

आर. के. कुरील, निदेशक

New Delhi, the 12th January, 2023

S.O. 30.—In exercise of the Powers conferred by Sub-Section (3)(c) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Arun Kumar Singh, Chairman, ONGC, as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 05.01.2025 or until further orders whichever is earlier.

[F. No. G-38011/41/2016-Fin./ONG-I]

R. K. KUREEL, Director

नई दिल्ली, 12 जनवरी, 2023

का.आ. 31.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा श्री अरुण बरोका, सचिव, रसायन और पेट्रोसायन विभाग, को दिनांक 06.01.2023 से 05.01.2025 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त./ओएनजी-1]

आर. के. कुरील, निदेशक

New Delhi, the 12th January, 2023

S.O. 31.—In exercise of the Powers conferred by Sub-Section (3)(a) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Arun Baroka, Secretary, Department of Chemicals & Petrochemicals as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 05.01.2025 or until further orders, whichever is earlier.

[F. No. G-38011/41/2016-Fin./ONG-I]

R. K. KUREEL, Director

नई दिल्ली, 12 जनवरी, 2023

का.आ. 32.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उप-धारा (3) (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा श्री अमित सिंह नेगी, संयुक्त सचिव, (पीएफ सेंट्रल 1), व्यय विभाग, वित्त मंत्रालय, को दिनांक 06.01.2023 से 05.01.2025 तक या अगले आदेशों तक, जो भी पहले हो, तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[फा. सं. जी-38011/41/2016-वित्त./ओएनजी-1]

आर. के. कुरील, निदेशक

New Delhi, the 12th January, 2023

S.O. 32.— In exercise of the Powers conferred by Sub-Section (3)(b) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints Shri Amit Singh Negi, Joint Secretary, (PF Central I), Department of Expenditure, Ministry of Finance as a member of the Oil Industry Development Board w.e.f 06.01.2023 to 05.01.2025 or until further orders, whichever is earlier.

[F. No. G-38011/41/2016-Fin.I/ONG-I]

R. K. KUREEL, Director

इस्पात मंत्रालय

नई दिल्ली, 2 जनवरी, 2023

का.आ. 33.— सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 12 जनवरी, 2019 को भारत के राजपत्र के भाग-II, खण्ड-3, उपखण्ड- (ii) में प्रकाशित भारत सरकार, इस्पात मंत्रालय की दिनांक 03 जनवरी 2019, की अधिसूचना संख्या का.आ. 54 को उन बातों के सिवाय अधिक्रमित करते हुए, जिन्हें ऐसे अधिक्रमण से पहले किया गया है या करने का लोप किया गया है, केंद्र सरकार, नीचे दी गई सारणी के स्तम्भ (1) में उल्लिखित अधिकारी, जो भारत सरकार के राजपत्रित अधिकारी के समतुल्य श्रेणी के अधिकारी हैं, को उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में तत्संबंधी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों के संबंध में अपने अधिकार क्षेत्र की स्थानीय सीमाओं में उक्त अधिनियम के तहत या उसके द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए संपदा अधिकारी को सौंपे गए कर्तव्यों का निष्पादन करेंगे, अर्थात्:

सारणी

क्र. स.	अधिकारी का पता और पदनाम	सरकारी स्थानों की श्रेणियाँ और अधिकार क्षेत्र की स्थानीय सीमाएं
	(1)	(2)
1	संपदा अधिकारी, के रूप में प्रशासन प्रभारी मॉयल लिमिटेड, मॉयल भवन, 1ए, कैटोल रोड, नागपुर - 440013	महाराष्ट्र, के नागपुर, में मॉयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
2	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, तिरोड़ी खदान, मॉयल लिमिटेड, जिला - बालाघाट, मध्य प्रदेश	मध्य प्रदेश के बालाघाट जिले में तिरोड़ी और सीतापटोर खदानों में मॉयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
3	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, बालाघाट खदान, मॉयल लिमिटेड, जिला - बालाघाट, मध्य प्रदेश	मध्य प्रदेश के बालाघाट जिले में बालाघाट खदानों में मॉयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
4	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, उकवा खदान, मॉयल लिमिटेड, जिला - बालाघाट, मध्य प्रदेश	मध्य प्रदेश के बालाघाट जिले में उकवा खदानों में मॉयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
5	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, गुमगाँव खदान, मॉयल लिमिटेड, जिला - नागपुर, महाराष्ट्र	महाराष्ट्र के नागपुर जिले में गुमगाँव खदानों में मॉयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।

6	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, मुन्सर खदान, माँयल लिमिटेड, जिला - नागपुर, महाराष्ट्र	महाराष्ट्र के नागपुर जिले में मुन्सर खदानों में माँयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
7	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, कांदरी खदान, माँयल लिमिटेड, जिला - नागपुर, महाराष्ट्र	महाराष्ट्र के नागपुर जिले में कांदरी खदानों में माँयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
8	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, बेलडोंगरी खदान, माँयल लिमिटेड, जिला- नागपुर, महाराष्ट्र	महाराष्ट्र के नागपुर जिले में बेलडोंगरी खदानों में माँयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
9	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, डोंगरी-बुजुर्ग खदान, माँयल लिमिटेड, जिला- भंडारा, महाराष्ट्र	महाराष्ट्र के भंडारा जिले में डोंगरी-बुजुर्ग खदानों में माँयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।
10	संपदा अधिकारी के रूप में कार्मिक विभाग प्रभारी, चिकला खदान, माँयल लिमिटेड, जिला - भंडारा, महाराष्ट्र	महाराष्ट्र के भंडारा जिले में चिकला खदानों में माँयल लिमिटेड से संबंधित या पट्टे पर लिए गए सभी स्थान।

[फा. सं. 1(7)/2009-माँयल]

राजेश कुमार, अवर सचिव

MINISTRY OF STEEL

New Delhi, the 2nd January, 2023

S.O. 33.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India, Ministry of Steel number S.O 54, dated the 3rd January 2019, published in the Gazette of India, Part II, Section 3 sub-section (ii), dated the 12th January, 2019, except as respect things done or omitted to be done before such supersession, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government of India, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on Estate Officer by or under the said Act, within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table -

TABLE

Sl.	Address and designation of the Officer	Categories of the public premises and local limits of jurisdiction
	(1)	(2)
1	Incharge of Administration as Estate Officer, MOIL Limited, MOIL Bhawan, 1A, Katol Road, Nagpur – 440013	All premises belonging to or taken on lease by MOIL Limited at Nagpur, Maharashtra.
2	Incharge of Personnel Department as Estate Officer, Tirodi Mines, MOIL Limited, District-Balaghat, Madhya Pradesh	All premises belonging to or taken on lease by MOIL Limited at Tirodi and Sitapatore mines in Balaghat district of Madhya Pradesh.
3	Incharge of Personnel Department as Estate Officer, Balaghat Mines, MOIL Limited, District – Balaghat, Madhya Pradesh	All premises belonging to or taken on lease by MOIL Limited at Balaghat mines in Balaghat district of Madhya Pradesh.
4	Incharge of Personnel Department as Estate Officer, Ukwa Mines, MOIL Limited, District – Balaghat, Madhya Pradesh	All premises belonging to or taken on lease by MOIL Limited at Ukwa mines in Balaghat district of Madhya Pradesh.
5	Incharge of Personnel Department as	All premises belonging to or taken on lease by

	Estate Officer, Gumgaon Mines, MOIL Limited, District – Nagpur, Maharashtra	MOIL Limited at Gumgaon mines in Nagpur district of Maharashtra.
6	Incharge of Personnel Department as Estate Officer, Munsar Mines, MOIL Limited, District – Nagpur, Maharashtra	All premises belonging to or taken on lease by MOIL Limited at Munsar mines in Nagpur district of Maharashtra.
7	Incharge of Personnel Department as Estate Officer, Kandri Mines, MOIL Limited, District – Nagpur, Maharashtra	All premises belonging to or taken on lease by MOIL Limited at Kandri mines in Nagpur district of Maharashtra.
8	Incharge of Personnel Department as Estate Officer, Beldongri Mines, MOIL Limited, District – Nagpur, Maharashtra	All premises belonging to or taken on lease by MOIL Limited at Beldongri mines in Nagpur district of Maharashtra.
9	Incharge of Personnel Department as Estate Officer, Dongri-Buzurg Mines, MOIL Limited, District – Bhandara, Maharashtra	All premises belonging to or taken on lease by MOIL Limited at Dongri Buzurg mines in Bhandara district of Maharashtra.
10	Incharge of Personnel Department as Estate Officer, Chikla Mines, MOIL Limited, District – Bhandara, Maharashtra	All premises belonging to or taken on lease by MOIL Limited at Chikla mines in Bhandara district of Maharashtra.

[F. No. 1(7)/2009-MOIL]

RAJESH KUMAR, Under Secy.

श्रम और रोजगार मंत्रालय

नई दिल्ली, 10 जनवरी, 2023

का.आ. 34.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ सं. 25/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05.01.2023 को प्राप्त हुआ था।

[सं. एल-20012/320/99-आई आर (सी-1)]

मणिकंदन. एन, उप निदेशक

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 10th January, 2023

S.O. 34.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 25/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 05/01/2023.

[No. L-20012/320/99-IR(C-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD.****Present:** Dr. S.K.Thakur, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE No. 25 OF 2000.**PARTIES**

: Mr. Dilip Chakraborty,

Area Secretary,
Bihar Colliery Kamgar Union,
At/PO: Bhowra, Distt: Dhanbad

Vs.

The Project Officer,
Bhowra (N) Colliery of M/s BCCL
PO: Bhowra,, Dhanbad,
-826001

Order No. L-20012/320/99 -IR(C-I) dt.28.01.2000

APPEARANCES

:
On behalf of the workman/Union : : Mr. S.N. Goswami Ld .Advocate.
On behalf of the Management : : Mr. U.N.Lal, Ld. Advocate

State : Jhrkhand Industry Coal
Dated, Dhanbad, the 20th October, 2022

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/320/99/I.R. (C-I) dated 28.01.2000.**

SCHEDULE

Whether the action of the Management of Bhowra (N) U/G Mines E.J. Area of M/s BCCL in dismissing Sri Sudhir Kumhar from the service of the company w.e.f. 22.01.1997 is justified? If not, to what relief the workman is entitled? ”

2. On receipt of the **Order No. L-20012/320/99-IR(C-I) dt. 28.01.2000** of the reference from the Government of India, Ministry of Labour & Employment, New Delhi for adjudication of the dispute, it was registered as Reference case No. 25 of 2000 on 03.09.2001 , and accordingly an order to that effect was passed to issue notices for appearance before the Tribunal to file their written statements along with the relevant documents. In pursuance of the said order, notices by the Registered Post were sent to the parties concerned.

3. The facts leading to the present dispute in nutshell by way of written statement of claim by the Sponsoring Union are as under :

- i) That Shri Sudhir Kumhar, the concerned workman is a permanent employee of Bhowra (N) U.G. Mines, E.J. Area of M/s BCCL working as S.F. Mazdoor having Per. No. 0214592
- ii) That during the long tenure of continuous service the concerned workman has been maintaining his service records unblemishly.
- iii) That the concerned workman has been coming to report his duty from his native village far from more than 20KMs. Away from the working place and the concerned workman need to come regularly and report in his duty due to lack of Company; residential accommodation.
- iv) That during the course of employment, the concerned workman has been performing the job assignment continuously till the date of 29.05.1996 but the Management did not pay the poor workman to his monthly salary w.e.f. 01.01.1996 to 29.05.1996 despite several representations and approach the reason is to be known to the Management as to why his wages during the period has been withheld for which caused the workman in position of starvation lack of food along with his family members of the concerned workman and left the family in penury and without any means of livelihood and due to failure to tide over this crisis due to non-payment of wages resulting sickness and suffering from viral Hapatites Infection and Jaundice” and undergone treatment of Dr. S.K.Sinha from 30.05.1996 to 15.10.96 .he was advised rest thereafter he was fit to resume his work since 16.10.1996 which has been intimated to the Management.
- v) That the concerned workman submitted the medical Certificate and requested to resume his duty to perform the works as the job assignment of S.F.Mazdoor and allow him to report his duty, but the management did not allow him to report in his duty. The concerned workman

remained idle without work due to illegal and arbitrary action of the management which caused absent from duty.

- vi) That, the management has dismissed the concerned workman from his services w.e.f. 22.01.1997 for the alleged allegation for absents from duty w.e.f. 30.05.1996 without any information.
- vii) That, the Management neither have served any charge-sheet nor have provided reasonable opportunity to the workman to defend his case nor have supplied the copy of the alleged enquiry proceedings to the concerned workman, the dismissal is illegal, arbitrary, forced and disproportionate liable to be set aside.
- viii) That it has been transpired that the management have issued a charge-sheet of the Certified Standing Order of M/s BCCL has not been served to the Management, rather on the day of reporting in duty his signature on enquiry papers has been obtained under influence and assurance that he would be allowed to join duty and on the same the concerned workman came to know that the alleged charge-sheet has been issued against him for alleged misconduct of absents from duty without information or permission from the authority concerned.
- ix) That, the Management have been pleased to conduct the domestic enquiry and concluded on the same day of date fixed i.e., 26.10.1996 without providing any opportunity to defend the concerned workman is not proper, fair and against the principle of natural justice.
- x) That, the workman was absent from the duty of the company beyond control the circumstances due to his illness suffering from Jaundice and undergone treatment and the matter was duly informed to the management, but the Management have not considered and no second Show Cause has been issued to the workman to appeal.
- xi) That, the Management have not complained of Sec. 25 F prior to issue the letter of dismissal, which is major punishment imposed upon the concerned workman is invalid and the concerned workman is legal led to reinstatement in service.
- xii) That the Sponsoring Union has placed several representations and munuts of discussion held based on the circulated 7.5.1994 for taking back in employment for absenteeism but no effect.
- xiii) That the action of the Management in dismissing from the service of the Company is violative of the principle of natural justice, illegal, arbitrary.
- xiv) In view of the above fact and circumstances, it is therefore prayed that Hon'ble Tribunal to passed the order in favour of the workman seeking direction to the Management for reinstatement with fullback wages and other consequential benefits for illegal dismissal.

4. Contrary to it, the OP/Management vehemently denying all the facts raised by the Union and came out with its counter written statement defending the point as follows:

- i) That the workman concerned namely Sri Sudhir Kumhar was permanent employee and was working as Shot Firing Mazdoor at Bhowra (O) Colliery.
- ii) That the workman concerned started remaining absent from his duties without leave and satisfactory cause from 30.05.1996 for which charge sheet was issued to which he submitted reply.
- iii) That the reply/explanation submitted by the workman concerned was not found satisfactory, Enquiry officer was appointed to conduct a departmental enquiry in to the aforesaid charge-sheet .
- iv) The Enquiry Officer filed up the date of enquiry on 26.10.1996 at 3 p.m. and a notice intimating the above date of enquiry was issued vide letter received by the workman concerned.
- v) That the enquiry was conducted in presence of the workman concerned and he fully participated in the same. The said enquiry was conducted in a accordance with the principle of natural justice wherein the charge sheeted employee was given adequate opportunity to defend himself.
- vi) That on the above mentioned date, the enquiry was conducted in presence of the workman concerned and he fully participated in the same. The said enquiry was conducted in accordance with the principle of natural justice wherein the charge sheeted employee was given adequate opportunity to defend himself.
- vii) That the Enquiry Officer submitted his report holding the charges leveled against the workman was fully established beyond all reasonable doubts.

- viii) That a copy of the aforesaid report of the Enquiry Officer was issued to the workman concerned before taking any action.
- ix) That the workman concerned was a habitual absentee for which he was charge-sheeted and punished on several occasions in the past as charge sheet dt. 19.05.1994, Chargesheet on 04.11.194, Chargesheet dt. 14.03.1995 and Charge sheet on 19.03.1995 confirmed to the fact.
- x) That the Disciplinary Authority went through the enquiry proceedings and enquiry report along with related documents and finding the same in order accepted the report of the enquiry officer.
- xi) That, considering the past record of the workman concerned and in absence of any extenuating circumstances and after application of mind the punishment of dismissal was imposed upon the concerned workman vide letter dt. 23.01.1997.

5. In course hearing on adducing evidence the Management adduced one evidence namely Shri Pravin Kumar Dubey as MW-I and filed the list of the documents with copies therewith duly exhibited before the Tribunal in course of deposition by the Representative of the management to substantiate their contention

- i) Charge-sheet as M-1
- ii) Reply to the Charge-sheet M-2
- iii) Appointment of Enquiry Officer and Presenting Officer M-3
- iv) Notice of Enquiry M-4
- v) Enquiry papers M-5
- vi) Enquiry Report M-6
- vii) Dismissal letter –M-7

6. However over the issue of enquiry on preliminary point over the issue of fairness of the domestic enquiry so conducted by the OP/Management against the workman, the Tribunal held the said enquiry as fair and proper as the Tribunal found nothing contrary to the principle of natural justice in holding the enquiry against the workman. Finally on argument, the petitioner/Union abruptly stopped appearing without any step and left the argument at incomplete stage since 31.01.2012. Ever since then the proceeding in the matter never came to be heard or determined on any date over the issue of merit of statement due to non-inclination of the Sponsoring Union.

7. The matter was taken up for final hearing on 01.12.2021 as the third consecutive date that neither of the parties has appeared and clearly the conduct of the Sponsoring union indicates the Industrial Dispute has ceased to exist just because the Union has abandoned the case and left the subject matter in mid-way without any stepping to deal with the ground of the Reference. As a consequence the Tribunal could not ascertain authenticity of matter of the issue and reached its finality. Further there is nothing on record to show any glaring fact to go otherwise. So the case deserved for passing a “No Claim Award” under provisions of the I.D. Act., 1947.

8. Accordingly, in terms of the Industrial Dispute Act., 1947 the Tribunal holds the instant Industrial Dispute Case No. 25/2000, instituted on 03.09.2001 is no longer in existence between the parties and no relief is awarded.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 10 जनवरी, 2023

का.आ. 35.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, कानपुर के पंचाट (संदर्भ सं. 62/2021) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05.01.2023 को प्राप्त हुआ था।

[सं. एल-22013/01/2023-आई आर (सी.एम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 10th January, 2023

S.O. 35.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 62/2021) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 05/01/2023.

[No. L-22013/01/2023-IR(CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT KANPUR

Present: SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 62 of 2021

No. K-10/4-6/2021-IR dated 20.12.2021

BETWEEN

Shri Satendra Singh
S/O Shri Dev Pal Singh,
Village Dhausad, Post- Bhujrakh
Thana, Tindwari, Tehsil Sadar,
Banda (U.P)

AND

1. The Executive Director (North),
Food Corporation of India,
2A,A,2B, Tulsi Marg,
Sector-24,Noida-201301.
2. The Divisional Manager,
Food Corporation of India,
Jaraili Kothi, Police Line,
Banda-210001

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Office of Dy. Chief Labour Commissioner (Central), Kanpur in letter No. K-10/4-6/2021-IR dated 20.12.2021

SCHEDULE

“Whether the action of management of Food Corporation of India, Banda over alleged illegal termination of the services of Shri Satendra Singh S/o Shri Dev Pal Singh, Labour w.e.f 23.04.2010, is legal and justified? If not, to what relief the concerned workman is entitled to and from which date?”

On receipt of notification, notices were issued to both the parties on 20th December 2021 fixing 24.02.2022 for filing of statement of claim. The claimant workman failed to file statement of claim on the date fixed. Afterwards several dates were fixed for filing of statement of claim by the claimant workman but failed to file statement of claim.

On perusal of the record it is found that though several dates were fixed for filing of statement of claim none appeared on behalf of the claimant workman before the Tribunal. Despite ample opportunities to claimant workman for submitting statement of claim; the claimant workman failed to present the case before the Tribunal. Later the case was reserved for final award for non-appearance claimant workman.

From the aforesaid circumstances it is presumable that the claimant workman is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 29.12.2022

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 10 जनवरी, 2023

का.आ. 36.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, कानपुर के पंचाट (संदर्भ सं. 61/2021) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05.01.2023 को प्राप्त हुआ था।

[सं. एल-22013/01/2023-आई आर (सी.एम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 10th January, 2023

S.O. 36.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 61/2021) of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 05/01/2023.

[No. L-22013/01/2023-IR(CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT KANPUR

Present: SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 61 of 2021

No.K-10/4-5/2021-IR dated 20.12.2021

BETWEEN

Shri Dharmendra Singh
S/O Shri Sharwan Kumar Singh,
Village & Post Semra, Thana Kotwali Dehat,
Banda (U.P)

AND

1. The Executive Director (North),
Food Corporation of India,
2A,A,2B, Tulsi Marg,
Sector-24,Noida-201301.
2. The Divisional Manager,
Food Corporation of India,
Jaraili Kothi, Police Line,
Banda-210001

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Office of Dy. Chief Labour Commissioner (Central), Kanpur in letter No. K-10/4-5/2021-IR dated 20.12.2021

SCHEDULE

“Whether the action of management of Food Corporation of India, Banda over alleged illegal termination of the services of Shri Dharmendra Kumar S/o Shri Shrawan Kumar Singh, Labour w.e.f 23.04.2010, is legal and justified? If not, to what relief the concerned workman is entitled to and from which date?”

On receipt of notification, notices were issued to both the parties on 20th December 2021 fixing 24.02.2022 for filing of statement of claim. The claimant workman failed to file statement of claim on the date fixed. Afterwards several dates were fixed for filing of statement of claim by the claimant workman but failed to file statement of claim.

On perusal of the record it is found that though several dates were fixed for filing of statement of claim none appeared on behalf of the claimant workman before the Tribunal. Despite ample opportunities to claimant workman for submitting statement of claim; the claimant workman failed to present the case before the Tribunal. Later the case was reserved for final award for non-appearance claimant workman.

From the aforesaid circumstances it is presumable that the claimant workman is not interested in prosecuting the case further before this Tribunal.

Hence in the given circumstances the reference stands disposed of as of ‘NIL’ award

Parties are left to bear their respective costs.

Date: 29.12.2022

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 11 जनवरी, 2023

का.आ. 37.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वरिष्ठ डाक अधीक्षक, बांकीपुर, पटना (बिहार), के प्रबंधन के संबद्ध नियोजकों और श्री बिरजा प्रसाद, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक न्यायाधिकरण-सह-श्रम न्यायालय-2, धनबाद के पंचाट (संदर्भ सं. 94 OF 1998) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 05.01.2023 को प्राप्त हुआ था।

[सं. एल-40012/145/96-आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 11th January, 2023

S.O. 37.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 94 OF 1998) of the Central Government Industrial Tribunal-Cum-Labour Court-II, Dhanbad, as shown in the Annexure, in the Industrial dispute between the employers in relation to The. Sr. Superintendent of Post Offices, Patna Division, Bankipore, Patna (Bihar), and Shri Birja Prasad, Worker, which was received along with soft copy of the award by the Central Government on 05.01.2023.

[No. L-40012/145/96-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD

Present : Dr. S.K.THAKUR, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE No. 94 OF 1998.

PARTIES: : Shri Birja Prasad,
S/o Late Chandradeep Gope ,
Vill. Paiyanapur, PO: Wazirpur ,Distt: Patna (Via –Bikram)
801104

Vs.

The. Sr. Superintendent of Post Offices,
Patna Division
Bankipore, Distt: Patna

Order No. L-40012/145/96-IR(DU) dated 12.03.1998

SS

On behalf of the workman/Union : Mr.Hiralal Chouhan Ld. Advocate
On behalf of the Management : Kumari Deep Shikha Management Rep.

State : Bihar Industry : Post

Dated, Dhanbad, the 21st November, 2022

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10(1)(d) of the I.D.Act,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-40012/145/96-IR (DU) dated 12.03.1998** .

SCHEDULE

“Whether the action of the Management of Postal Department in terminating the services of Shri Birja Prasad, Bikram Sub-Post Office is legal and justified? If not, to what relief the workman is entitled?”

2. Consequent upon registration the cases as Ref. No. 94 of 1998 as referred by the Government of India vide its **Order No. L-40012/145/96-IR(DU) dated 12.03.1998** the case was set rolling out on 07.04.1998 with filing of the Written Statement and subsequent counter claim by the Management of Superintendent of the Post Offices ,Patna followed by rejoinders filed against each other with exchange of copy and vice versa, The subject matter was further advanced and adduced by the workman man /Petitioner but and after argument on the side of the Management the haring was completed and stands reserved for answering the Reference in Award

3. The brief facts of the case as submitted by the applicant are as under:

- i) That Sri Biraja Prasad was originally appointed on 11.04.1994 at Bikram Sub-Post Office against permanent vacancy as Extra Departmental Telegraph Messenger.
- ii) That the petitioner workman had been working as Extra Departmental work against permanent vacancy in the permanent nature of job continuously till the petitioner's service was terminated by stopping him from work w.e.f. 01.06.1995.
- iii) That the petitioner had been working continuously and had put in more than 240days attendance before illegal termination of service.
- iv) That as soon as the petitioner started demanding regularization and permanent pay scale ad after benefits the anti0labour management terminated the service of the petitioner by

stopping from duty with effect from 01.06.1995 The anti-labour management engaged one Sri Awdesh Sharma in place of the petitioner.

- v) That the petitioner represented before the Management several times against the illegal and arbitrary termination of service with a prayer for reinstatement with fullback wages but without any effect, seeing no alternative the petitioner raised an industrial dispute put before the A.L.C. (C) but the same ended in failure due to the adamant attitude of the management .
- vi) That, the action of the management of Postal Department in terminating the service of Sri Brija Prasad was neither legal nor justified?
- vii) That the action of the Management was illegal, arbitrary, unjustified and against the principle of natural justice.'
- viii) That, the action of the Management was against the mandatory provision of Sec.25 –F and 25-N of the Industrial Disputes Act.
- ix) That the action of the management was discriminatory and vindictive in nature seeking award with reinstatement with full back wages and other attendant benefits.

4. The O.P. (Respondent) filed their written statement and contradicted the submission of the applicant. Management contention is as following:

That the present reference is not maintainable both in law and in facts.

- i) That Sri Chandradeep Gope was a permanent D.E.D. Telegraph Messenger of Bkram PO and he is the father of the concerned workman. Sri Gope was on leave from 11.04.1994 by providing his own substitute, the concerned workman, on own risk and responsibility and he subsequently died.
- ii) That the workman was neither appointed nor were his services terminated by the employers.
- iii) That the Government of India had introduced Extra Departmental Agent System as back as in 1854. The object underlying this scheme is a judicious blend for economic and efficiency in catering the postal of rural communities dispersed in remote areas. At present 80% of post offices are functioning in rural areas are being managed by Government of India under Extra Departmental Agent System. For this purpose, the Postal department as per Extra Departmental Agents (Conduct & Service Rules) 1964 enters into a contract with the person who is selected and takes over agency (E.D.S.P.M./EDBP.M./EDDA/EDMC). One of the conditions for getting such an agency is that the person concerned should have adequate means of livelihood and should not be less than 18 years of age and not more than 65 years.
- iv) That all the persons attached with the type of rural Post Offices like other regular employees of the Postal Department did not get their salaries. They get allowances as per rules and according to work load in rural post offices which vary from Post Office to Post Offices.
- v) That other unique system in the rural Post Offices is that persons working as (i) EDBPM (ii) EDDA and (iii) EDMC or other ED Agent can substitute a person nominated by them to work in Post Office at his place at their own risk and responsibilities in case of the incumbent goes on leave or in case of deputation to E.D. Post or short term vacancies of Postman and Group D etc. During this period substituted man gets the allowances and not pay as admissible as per the rules. He has no legal status. He remains merely a shadow of the E.D. Agent in whose absence he works and he can not be treated at par with daily rated Mazdoor and casual labour. It is further stated that no casual worker is employed in rural Post Offices like Telecommunication and other government Department of India and Public Sector Undertaking.
- vi) That the concerned workman worked as a substitute in place of his father.
- vii) That the Management of Postal Department never appointed Sri Birja Prasad. Hence no question of termination of service arises and accordingly the concerned workman is not entitled to any relief whatsoever.

5. The workman on his behalf filed list of the documents together with copies thereof which are as follows:

- i) Death Certificate of Chandradip Gope
- ii) Certificate dated 09/06/1995
- iii) Charge Certificate dt. 11/04/1994

iv) Application dated 13/05/1995

6. It is contended by the applicant (Claimant) that impugned action on the part of the Management is against the principle of natural justice as he was never served with any show cause notice for purported inaction as the applicant filed the Written Statement of claim and a couple of documents, the documents also seem to merit of the case.

7. In his deposition before the Tribunal on 27.03.1994 the workman stated to have been engaged to the Post Office from 11.04.1994 for a period of one year one month and twenty one days only and he was made to sit idle from 01.06.1995 without any notice or compensation thereof. When he approached the Management for service the Management did not respond. The claimant could not be able to shed light on the issue of his father that he was regularly appointed Staff of the Vikram Sub-Post Office as Telegram Messenger on monthly payment of Rs. 1,500/-

Further on being asked by the Tribunal about the factum of the case he stated for having no other documents except a Certificate of his working at Sub-Post Office, Vikram as Telegram Messenger for a period from 11.04.1994 to 01.06.1995 as a substitute of his father who in course of his leave died. Nor any proof of his daily attendance could be filed by him.

8. As per documents filed and submission made by the Management the fact reveals that the applicant, though worked for certain period with Respondent GDS (Gramin Dak Sewak), was never selected through a regular selection process and no provisional appointment order was issued in his favour. He only worked as Leave substitute and hence cannot be termed as provisional appointee. In the light of the relevant provisions pertaining to substitute workers and in the light of the observation of Hon'ble High Court Karnataka in WPNO. 76348/2013 as well as Writ Appeal No. 100400/2015 has observed that we are clearly of the view that the applicant cannot claim any right for engagement as ED worker only because of his working in the respective organization as substitute for certain period.

9. The O.P./Management have also referred to the order of the Hon'ble Apex Court of Uma Devi & Ors saying that regularization of services of the persons who have not been appointed following the due procedure cannot be considered and simultaneously referred to another judgment of Hon'ble Apex Court in case of Post Master General, Kolkata & Ors Vs. Tutu Das where similar case of the substitute for seven years without having undergone the process of selection was rejected.

10. The O.P./Management further submitted that Hon'ble High Court of Karnataka in W.P.No.24557/2013(S-CAT) dt.18.11.2013 rejected the case of a person who was admittedly taken on duty on local appointment under Stop-Gap arrangement.

11. The Management also refers that the Government of India has introduced Extra Departmental Agent (Now Gramin Dak Sewak) on long back specially to cater the needs of rural population in terms of postal services and for this purpose framing separate rules governing the Extra Departmental Agent (EDA) (Conduct & Services) Rules 1964 on subsequently amended as Gramin Dak Sewak Conduct & Employment Rules, 2001, 2011 and 2022 and for this arrangement the rules are made in accordance with the provisions.

12. The plea of the O.P./Management is that the applicant was not appointed ever in a provisional basis or through regular selection basis. He was simply engaged as Substitute Leave Vacancy provided by regular Gramin Dak Sewak as and when they went on leave. The Gramin Dak Sewak (GDS) (Conduct & Engagement) Rules, 2011 clearly stipulates guidelines for allowing substitutes in place of regular Gramin Dak Sewak as well as engagement of the persons on personal basis. Since the Applicant was not engaged on provisional basis or through regular process of employment but simply on Leave Substitute, he cannot claim any legal right as far as regularization in the departmental is concerned rather the Director General instruction regarding keeping the persons in the waiting list are applicable to those who are appointed on personal basis and continued for more than 3 years. Hence the same is not applicable for the claimant who was engaged only as Leave Substitute in place of regular Gramin Dak Sewak at sole risk and responsibility of respective regular Gramin Dak Sewak (GDS).

13. In the light of the records and submission made by either side, it is clearly evident that the applicant was engaged as Leave substitute and had not undergone any regular selection process even no provisional appointment order was issued in his favour. It is clear that the applicant Sri Birja Prasad though worked for certain period from 11.04.1994 to 31.05.1995 on account of illness of his father –Shri Chandradeep Gope who was Extra Departmental Telegram Messenger to Bikram Sub Post Office, in Patna Postal Division under the Management of Department of Posts as Leave Substitute. Shri Gope was on leave from 11.04.1994 and so by providing his substitute, the applicant Shri Biraja Prasad, on his own risk and responsibility and he subsequently died. The workman in the last three successive hearings on dt. 18.01.2021, 21.01.2021 and finally on 17.11.2021 could not register his presence either self or through any Representative, neither furthered his claim nor confronted the issues as raised by the OP/Management. Consequently argument of the

Management remained uncontroverted and unchallenged despite several opportunity provided to the workman. The claimant did not show any efforts or sincerity in furthering his claim.

14. Therefore, on examination of the facts and circumstances of the case, the Tribunal is of the view that the contention made by the applicant does not merit any consideration as the materials placed before the Tribunal does not find any scope for granting relief to claimant workman and hence the matter of the issue under reference is declared as being devoid of merit and stands dismissed. Hence no relief is awarded.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 11 जनवरी, 2023

का.आ. 38.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उप महाप्रबंधक, (वित्त), भारत हेवी इलेक्ट्रिकल्स लिमिटेड, पटना, (बिहार); मालिक, मैसर्स ए. के. निर्माण, पटना, (बिहार), के प्रबंधन के संबंधित नियोजकों और श्री दिलीप कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक न्यायाधिकरण-सह-श्रम न्यायालय-2, धनबाद के पंचाट (संदर्भ सं. 31/2016) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 05.01.2023 को प्राप्त हुआ था।

[सं. एल-42012/12/2016-आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 11th January, 2023

S.O. 38.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2016) of the Central Government Industrial Tribunal-Cum-Labour Court-II, Dhanbad, as shown in the Annexure, in the Industrial dispute between the employers in relation to The. Dy. General Manager, (Finance), Bharat Heavy Electricals Ltd., Patna, (Bihar); The Proprietor, M/s A.K. Construction, Patna, (Bihar), and Shri Dilip Kumar, Worker, which was received along with soft copy of the award by the Central Government on 05.01.2023.

[No. L-42012/12/2016-IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD.

Present: Dr. S.K. THAKUR, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE NO 31 OF 20163.

PARTIES: : Shri Dilip Kumar,
Saraswati Niwas, Ramlakhan Path, Ashok Nagar, ,
Road No. 8, Kankarbagh ,
PATNA, BIHAR -800020.

Vs.

- 1) The. Dy. General Manager, (Finance)
Bharat Heavy Electricals Ltd.,
B-Block, 3rd Floor, Maurya Lok Complex.,
Patna, Bihar 800001
- 2) The Proprietor,

M/s A.K.
Construction, Pirmuhani,
Rajendra Path, Near Aligarh Lok,
Janta Steel
PATNA, BIHAR

Order No. L-42012/12/2016-IR (DU) dt. 02.03.2016

On behalf of the workman/Union : : Mr.S.K.Pandey Ld. Advocate
On behalf of the Management : : None

State : : Bihar Industry : : Power
Dated, Dhanbad, the 21st November, 2022
AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec., 10(1)(d) of the I.D.Act,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-42012/12/2016-IR (DU) dt. 02.03.2016** .

SCHEDULE

“Whether the action of the employer M/s A.K. Construction, a contractor of M/s BHEL,RQ Patna to terminate the service of contract workman Sri Dilip Kumar without observing the condition under Sec. 25 (F) of the I.D. Act was correct? If not, to what relief the workman is entitled for?”

1. On receipt of the above reference from Government of India and subsequently registration on 14.03.2016 notices were sent to the address of the workman as well as that of the Respondent/Management .The notices are understood to have been delivered to its destinations as none returned back undelivered. But the workman neither appeared nor filed the written statement of claim even after providing sufficient opportunities since 12.05.2016 .Hearing on the subject matter was scheduled and rescheduled suo mottu on account of the non-appearance of any one from the workman side .Even as last attempt for final hearing of the matter on 25.09.2019 Ld. Advocate Mr. Sandeep Kumar Pandey made appearance along with the workman and filed authority to represent the case on behalf of the workman concerned with prayer for some more time to file written Statement. The prayer for time was allowed. Hearing was subsequently posted on 16.11.2011 at Camp Court, Patna keeping convenience to the workman as he belonged to Patna. The workman on the final hearing did not turn up so did his Ld. Advocate also. This apparently construes facts of workman's dis-inclination in adjudication of the matter and go for finality.

2. Since the workman or his Ld. Advocate has neither put his appearance on the date of final hearing nor did file Written Statement of Claim, a basis over which Tribunal has to exercise its jurisdiction further lingering the matter would be sheer wastage of time of the Tribunal .Under such circumstances the Tribunal has no scope but to close subject matter which appears to have lost relevancy for adjudication before the Tribunal . Under such circumstances the Tribunal passes no “No Claim award” as the Industrial Dispute is dismissed being devoid of any merit particularly when the workman himself appears reluctant to contest and go for finality on the issue of the matter. No relief is awarded.

Dr. S. K.THAKUR, Presiding Officer

नई दिल्ली, 11 जनवरी, 2023

का.आ. 39.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में,केन्द्रीय सरकार इ.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 1. धनबाद के पंचाट (संदर्भ सं. 7/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.01.2023 को प्राप्त हुआ था।

[सं. एल-20012/14/2018-आई आर (सी. एम-1)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 11th January, 2023

S.O. 39.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.7/2008) of the Central Government Industrial Tribunal-cum-Labour Court NO. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 10/01/2023.

[No. L-20012/14/2018-IR(CM-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.

Reference: No. 7/2008

Employer in relation to the management of Kumardhubi Colliery of M/S ECL

AND.

Their workman.

Present: Shri DINESH KUMAR SING, Presiding Officer.

Appearances:

For Employer :- Sri D.K.Verma Adv.

For Workma :- None.

State : Jharkhand

Industry:- Coal

Dated 29/09 /2022

AWARD

By Order No.L-20012/14/2018-IR(CM-I) dated 23.04.2008 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub –section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the Management of Kumardhubi Colliery , under Mugma Area of M/s ECL in fixation of Shri Rajnarayan Ram, Mining Sirdar cum Short Firer is proper , legal and justified ? If not, what relief the concerned workman is entitled to and from which date? And what directions are necessary in this regards.”

2. The reference is received on 01.05.2018 by this Tribunal in which the Br... Secretary INMOSSA, had been advised to submit statement of claim along with relevant document within fifteen days but the union/workman did not appear before the Tribunal. However after receipt of the reference, both parties were noticed, but the union didn't appear before the Tribunal. Further the management has appeared regularly but the union has failed to appear before the Tribunal Now the case is pending since 01.05.2018 and workman/Union did not appearing before the Tribunal , so it is felt that workman/union has lost its interest in this matter, Hence “ No Claim “ Award is passed communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 11 जनवरी, 2023

का.आ. 40.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ सं. 270/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.01.2023 को प्राप्त हुआ था।

[सं. एल-20012/381/2001-आई आर (सी.एम -1)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 11th January, 2023

S.O. 40.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.270/2001) of the Central Government Industrial Tribunal-cum-Labour Court NO. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of C.C.L. and their workmen, received by the Central Government on 10.01.2023

[No. L-20012/381/2001-IR(CM-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.

Reference: No. 270/2001

Employer in relation to the management of Dugdha Coal Washery of M/S CCL

AND.

Their workman.

Present: Shri DINESH KUMAR SINGH, Presiding Officer.

Appearances:

For Employer :- Sri D.K.Verma Adv.

For Workma :- None.

State : Jharkhand

Industry:- Coal

Dated 30/09 /2022

AWARD

By Order No. L-20012/381/2001-IR(CM-I) dated 13.12.2001 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub –section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the demand of the union for payment of rest day wages at double the rate of normal day wages to Shri Vidya Prakash, Fitter of Dugdha Coal Washery, M/s C.C.L is proper and justified ? If so , to what relief is the workman concerned entitled?”

2. The reference is received on 31.12.2001 by this Tribunal in which the Jt.. Secretary NCWC, had been advised to submit statement of claim along with relevant document within fifteen days but the union/workman did not appear before the Tribunal. However after receipt of the reference, both parties were noticed, and both the parties appeared for certain dates. Thereafter Regd. notice sent to both side and notice of Union /workman returned unserved. Now the case is pending since 31.12.2001 and workman/Union is not appearing before the Tribunal, so it is felt that workman/union has lost its interest in this matter, Hence “ No Claim “ Award is passed communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 41.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री राजपाल सिंह, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 249/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-2-आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 41.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 249/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Rajpal Singh, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-2-IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI**

Present: Smt. PRANITA MOHANTY, Presiding Officer
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 249/2021**Date of Passing Award- 01.12.2022****Between:**

Sh. Rajpal Singh, S/o Sh. Puran Singh,
R/o—Sarswati Vihar, Loni Dehat, Ghaziabad,
Uttar Pradesh – 201102.

...Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.
2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

...Managements

Appearances:-

Claimant in person
(A/R)

... For the claimant

Shri Rohit Bhagat

... For the Management No.1

None for the management No.2

... For the Management No. 2

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 18500/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHNATY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 42.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री विपिन कुमार त्यागी, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 248/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-1-आई आर (डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 42.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 248/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Vipin Kumar Tyagi ,Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-1-IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 248/2021

Date of Passing Award- 05.12.2022

Between:

Sh. Vipin Kumar Tyagi, S/o Sh. Nain Singh,
R/o-1076/14, Mandoli Ex.,
Delhi-110093.

.... Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.
2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person

....For the claimant

(A/R)

Shri Rohit Bhagat

... For the Management No.1

None for the management No.2

... For the Management No. 2

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14,000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of

legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHATY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 43.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार सीआरटीजी/डीएमआरसी बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री लक्ष्मण साहा, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 133/21) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/57/2021-आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 43.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 133/21) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ;J, Kumar CRTG/DMRC Barakhamba Lane New Delhi, and Shri Laxman Saha,Through , The General Secretary, Karmsheel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/57/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. Pranita Mohanty

ID. No. 133/21

Sh. Laxman Saha, S/o Shri Khoob Lal,
Through , The General Secretary,
Karmsheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

... Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,
Barakhamba Lane NEW Delhi-110001.

...Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/57/2021- IR(DU) dated 30.07.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmsheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Shri Laxman Saha, S/o Shri Yublal) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 13 जनवरी, 2023

का.आ. 44.— केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91 क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बीईएमएल लिमिटेड के कारखानों और स्थापनाओं के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से छूट प्रदान करती है। यह छूट तारीख 31 जनवरी, 2023 से ही एक वर्ष की अवधि के लिए प्रभावी रहेगी।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है; अर्थात्:-

- (1) कारखाना और स्थापना छूट प्राप्त कर्मचारियों के नाम और पदनाम विनिर्दिष्ट करते हुए, कर्मचारियों का एक रजिस्टर रखेगी;
- (2) कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं;
- (3) छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे;
- (4) उक्त कारखाने और स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम (जिसे इसमें इसके पश्चात उक्त अवधि कहा गया है) प्रवर्तन के अधीन था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों से युक्त होगी जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप धारा (1) के अधीन नियुक्त किया गया कोई सामाजिक सुरक्षा अधिकारी या निगम का इस प्रयोजन के लिए इस निमित्त प्राधिकृत कोई अन्य पदधारी—
 - (i) उक्त अधिनियम की धारा 44 की उप धारा (1) के अधीन, उक्त अवधि के लिए प्रस्तुत किसी विवरणी में अंतर्विष्ट विशिष्टियों को सत्यापित करने; या
 - (ii) यह अभिनिश्चयन के लिए कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं; या
 - (iii) यह अभिनिश्चयन के लिए कि कर्मचारी, नियोजक द्वारा दिये गए उन प्रसुविधाओं को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार है या नहीं; या
 - (iv) यह अभिनिश्चयन के लिए कि उस अवधि के दौरान, जब उक्त कारखाने और स्थापन के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा—
 - (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे इस अधिनियम के प्रयोजन के लिए आवश्यक समझता है; या
 - (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह कार्मिक के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
 - (ग) प्रधान या आसन्न नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या
 - (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना; या
 - (ङ) यथास्थिति अन्य शक्तियों का प्रयोग करना जो विनिर्दिष्ट दिए जाएँ।

6. विनिवेश या निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट के लिए समुचित सरकार को आवेदन करना होगा।

[सं. एस-38014/06/2020-एस.एस-1]

बी. के. बिस्वास अवर सचिव

New Delhi, the 13th January, 2023

S.O. 44.—In exercise of the powers conferred by section 88 read with section 91 A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the regular employees of factories and establishments of **BEML Limited** from the operation of the said Act. The exemption shall be effective for a period of one year on and from the 31st day of January, 2023.

2. The exemption is subject to the following conditions namely:-

- (1) the factories and establishments shall maintain a register of the employees specifying the names and designations of the exempted employees;
- (2) the employees shall continue to receive such benefits under the said Act to which they would have been entitled to on the basis of the contribution paid prior to the date from which exemption granted by this notification operates;
- (3) the contribution for the exempted period, if already paid, shall not be refundable;
- (4) the employer of the said factory and establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) a Social Security Officer appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf by it, shall, for the purpose of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said Act for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory and establishment to be empowered to —
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
 - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
 - (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises; or
 - (e) exercise such other powers as may be specified.
- (6) in case of disinvestment or corporatisation, the exemption granted shall stand cancelled and the new entity may apply to the appropriate Government for exemption.

[No. S-38014/06/2020-SS-I]

B.K. BISWAS, Under Secy.